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Distribution:

Orig - Addressee  
1 - PAO 87-0036  
STAT 1 - [redacted]  
1 - PAO Chrono  
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1 - TP (Subject)

JUDGE:

Re: Your remarks before the  
Crime and Punishment Panel,  
Association of the Bar of the City  
of New York, New York City,  
July 14, 1987

You agreed to participate in the Association's forum on "Crime and Punishment under the Constitution," July 14, 1987, as part of the Bar's Bicentennial series. Mr. Norval Morris, former Dean of the University of Chicago School of the Law, also will be making a presentation. Jack David, chairman of the Association's Bicentennial Committee, will have a transcript made of all remarks, including yours, that will be published in a book by Random House. We have asked for the opportunity to review your remarks prior to publication. Although Mr. David requested that you speak for 30 minutes, we made arrangements for you to speak for 20-25 minutes. Herewith is the proposed speaking outline. The Tyrrell Williams Memorial lecture that you gave in 1985 at the Washington University School of Law is attached for background.

STAT

[redacted]  
Bill Baker

Attachment:  
a/s



P-309-11

## ROUTING AND TRANSMITTAL SLIP

TO: Name, office symbol, room number, building, Agency/Post		Initials	Date
1.	<i>Burr Baker</i>		
2.			
3.			
4.			
5.			

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

## REMARKS

*I think W.H.W. is going  
to honor the July 14<sup>th</sup>  
commemorative. Perhaps we  
do not need attached.*

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM	Agency/Post)	Room No.—Bldg.
		Phone No.

5041

★ U. S. GPO: 1978-0-261-647/3354

OPTIONAL FORM 41 (Rev. 7-76)  
Prescribed by GSA  
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*PAO 87-0015*

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PAO-87-0015

8 June 1987

JUDGE:

The attached flyer announcing your commitment to speak in the Bicentennial Lecture Series sponsored by the Association of the Bar of the City of New York on Tuesday, 14 July 1987, arrived last Friday.

You had originally accepted this invitation in January, but later we had recommended against your participation because of the pending change in your position. [redacted] had informally talked with Jack David to advise him of the possibility that you might not be able to attend. Jack David may have called you after that seeking your commitment.

You will recall that you had decided to take the criminal side of "Crime and Punishment Under the Constitution" while Norval Morris would cover the punishment side. In earlier correspondence to Jack David you had described your intended speech as showing how the Constitution is relevant and essential to today's law enforcement. This topic would not seem as appropriate for you in your new role as Director of Central Intelligence and head of an Agency with no law enforcement responsibilities other than protection of its own installations. On the other hand, since you are part of a panel, changing your topic at this late date would present certain difficulties. Therefore, I recommend that we now withdraw your participation from this panel. We had informed Jack David that your withdrawal was a real possibility because of your new position. I have attached a letter of regret for your signature.

[redacted]  
Bill Baker

Attachments: As Stated

*Judge: [redacted] furnished a copy of your letter to Dr. McKay. If you still plan on participating disregard attached letter.*

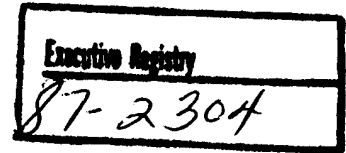
## Distribution:

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Central Intelligence Agency



Washington, D. C. 20505



Mr. Jack David  
Chair  
477 Madison Avenue  
New York, New York 10022

Dear Mr. David:

Thank you for your kind invitation to address the Association of the Bar of the City of New York Bicentennial Lectures and Forums on "Crime and Punishment Under the Constitution" on Tuesday, 14 July. As Director of the FBI, I accepted your invitation because I saw a relevance in this topic to my role and wanted to participate in the panel along with Norval Morris. Since the Central Intelligence Agency does not have law enforcement responsibilities, I no longer believe that it is appropriate in my new position as Director of Central Intelligence to appear before your members and discuss this subject. As you know, I enjoy meeting with Bar Associations, and I regret that I will be unable to do so this time. I do hope, however, you will express my sincerest warm wishes to all in attendance. Again, many thanks for the invitation.

Sincerely yours,

William H. Webster  
Director of Central Intelligence

May 5, 1987

May 16, 1987

Professor Robert B. McKay  
New York University  
School of Law  
Room 321U  
40 Washington Square South  
New York, New York 10012

Dear Bob:

Thanks for your letter of April 16th. I'm still planning to be in New York on July 14th, although at the present pace I may still be waiting for Senate confirmation. Norval and I will have to get together on what I may still be qualified to say.

We'll miss you on May 19th, but I hope to see you before too long. With best wishes,

I'm sorry that I cannot see you for the 17th. Sincerely,

William H. Webster  
Director

WHW:mfd

JUN 1987

The Association of the Bar of the City of New York  
42 West 44th Street, New York, New York 10036

SPECIAL COMMITTEE ON THE BICENTENNIAL OF THE UNITED STATES CONSTITUTION  
JACK DAVID, Chair

PRESENTS

AN ENDURING CONSTITUTION IN A CHANGING WORLD  
Summer 1987

TIME 6:30 P.M. - PLACE - House of the Association  
All lectures will be followed by a Buffet Supper\*

\*\*\*\*\*

LECTURE 5: MAY 21, 1987  
APPROACHES TO JUDICIAL REVIEW

MODERATOR

THE HONORABLE WILFRED FEINBERG

Chief Judge, United States Court of Appeals for the Second Circuit

SPEAKERS

THE HONORABLE FRANK EASTERBROOK

Judge, United States Court of Appeals for the Seventh Circuit

THE HONORABLE JOHN J. GIBBONS

Judge, United States Court of Appeals for the Third Circuit

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LECTURE 6: JUNE 11, 1987  
PRESIDENTIAL CONTROL OF LAWMAKING UNDER  
THE SEPARATION OF POWERS

MODERATOR

PAUL R. VERKUIL

President, College of William and Mary

SPEAKER

LLOYD N. CUTLER

Former Counsel to President Carter

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LECTURE 7: JULY 14, 1987  
CRIME AND PUNISHMENT UNDER THE CONSTITUTION

MODERATOR

JOHN D. FEERICK

Dean, Fordham University School of Law

SPEAKERS

WILLIAM WEBSTER

Director, Federal Bureau of Investigation

NORVAL MORRIS

Former Dean, University of Chicago School of Law

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\*FOR BUFFET SUPPER RESERVATIONS at \$28.00 per person please  
complete this coupon and mail to:  
The Association of the Bar of the City of New York  
Vivian Mayrena - Meeting Services Department  
42 West 44th Street, New York NY 10036

\_\_\_\_\_ I will attend LECTURE 5 (May 21, 1987) @ \$28.00  
\_\_\_\_\_ I will attend LECTURE 6 (June 11, 1987) @ \$28.00  
\_\_\_\_\_ I will attend LECTURE 7 (July 14, 1987) @ \$28.00  
\_\_\_\_\_ I will attend ALL THREE LECTURES and Buffet Suppers @ \$75.00

Name (s) \_\_\_\_\_ Address \_\_\_\_\_

Checks should be made payable to The Association of the Bar and  
must accompany all reservations. Reservations for all lectures  
must be made at least 5 days prior to the scheduled date.